



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/750,500	12/28/2000	Marc Epstein	300/1	6952

7590 07/27/2005

KAPLAN & GILMAN, L.L.P.  
900 Route 9 North  
Woodbridge, NJ 07095

EXAMINER

EL CHANTI, HUSSEIN A

ART UNIT PAPER NUMBER

2157

DATE MAILED: 07/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

87

## Office Action Summary

Application No.

09/750,500

Applicant(s)

EPSTEIN ET AL

Examiner

Hussein A. El-chanti

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-23,25-27 and 29-38 is/are pending in the application.
- 4a) Of the above claim(s)      is/are withdrawn from consideration.
- 5) ☐ Claim(s)      is/are allowed.
- 6) ☒ Claim(s) 1-23,25-27 and 29-38 is/are rejected.
- 7) ☐ Claim(s)      is/are objected to.
- 8) ☐ Claim(s)      are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on      is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- 1) ☐ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No.     .
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. <u>    </u> |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                   |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>    </u> | 6) <input type="checkbox"/> Other: <u>    </u>  |

### DETAILED ACTION

1. This action is responsive to amendment received on July 11, 2005. Claims 1-23, 25-27 and 29-38 are pending examination.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-23, 25-27 and 29-38 are rejected under 35 U.S.C. 102(e) as being anticipated by Sixtus, U.S. Patent No. 5,903,721.

Sixtus teaches the invention as claimed including a system and method for sending a transaction verification request to a trust server computer interconnected to the computer network (see abstract).

As to claims 1, 23, 25 and 31, Sixtus teaches a method of providing services from a service provider to a plurality of independent entities, the method comprising:

facilitating, on a first set of one or more servers of said service provider, a first set of services that require said first set of one or more servers to trust said independent entities (see col. 6 lines 33-52, trust server trusts the user);

facilitating, on a second set of one or more servers of said service provider, a second set of services that require said independent entities to trust said second set of one or more servers (see col. 6 lines 53-65, user trusts the vendor servers); and

providing said first and second set of services to said independent entities (see col. 6 lines 53-65).

As to claim 2, Sixtus teaches the method of claim 1 wherein a trust is established so that said first set of servers trusts said second set of servers (see col. 6 lines 33-65).

As to claims 3 and 21, Sixtus teaches the method of claim 2 wherein said first set of servers provides data services and wherein said second set of services provides management and configuration services (see col. 6 lines 33-65).

As to claim 4, Sixtus teaches the method of claim 3 wherein each of said independent entities is organized as a single forest (see col. 6 lines 7-25).

As to claim 5, Sixtus teaches the method of claims 3 or 4 wherein each of said entities is organized as a single domain (see col. 5 lines 60-67).

As to claims 6 and 10, Sixtus teaches the method of claim 3 wherein at least one of said independent entities is embodied as a forest of computers that spans multiple customer sites (see col. 6 lines 7-25).

As to claims 7, 12, 13 and 20, Sixtus teaches the method of claim 1 wherein said first set of services comprises at least one of the following: virus protection services, remote access, backup, software sharing, and telephony services, and wherein said

Art Unit: 2157

second set of services comprises at least one of the following: security, password management, software update, software distribution, access control (see col. 7 lines 25-col. 8 lines 4).

As to claim 8, Sixtus teaches a system for providing computer services a to plurality of remotely located computers, the network comprising: a service forest for providing data services to said remotely located computers; a management and configuration forest for providing management and configuration services to said remotely located computers; said management and configuration forest and said service forest being separate from each other (see col. 7 lines 25-col. 8 lines 4).

As to claims 11 and 30, Sixtus teaches a network of computers comprising a service forest that trusts and provides services to a plurality of independent remotely located user computers, wherein the user computers trust and are managed and configured by a management forest of computers, and wherein the service forest trusts the management forest (see col. 6 lines 7-65).

As to claim 14, Sixtus teaches a computer service center comprising plural computers that implement services to numerous remotely located computers, and wherein services that require said remotely located computers to trust said service center are separate from computers implementing services requiring said service center to trust said remotely located computers, thereby avoiding any two way trusts (see col. 6 lines 7-65).

As to claim 15, Sixtus teaches the service center of claim 14 wherein said remotely located computers are arranged into groups, each group communicating on a local area network and being associated with an independent entity (see col. 6 lines 7-65).

As to claims 16 and 26, Sixtus teaches the computer service center of claim 11 wherein computers in the service forest communicate with a telephone network (see col. 7 lines 25-67).

As to claim 17, Sixtus teaches the computer service center of claim 16 wherein computers in the service forest communicate with the data network (see col. 6 lines 7-65).

As to claim 18, Sixtus teaches the computer service center of claim 16 wherein computers in the service forest provide data backup services for said remotely located user computers (see col. 6 lines 7-65).

As to claim 19, Sixtus teaches a method of providing computer services to plural remote customers comprising the steps of: classifying services to be provided to such customers as either services requiring customers to trust a service provider, or services requiring the service provider to trust said customer; and in response to said step of classifying, determining from what computer or group of computers to provide said services (see col. 6 lines 7-65).

As to claim 22, Sixtus teaches a method of providing services to a plurality of serviced entities from a service provider, the method comprising: defining a one way

relationship; separating a first type of services wherein said relationship runs from the service provider to the serviced entity from a second type of services wherein the relationship runs from the serviced entity to the service provider, and separately implementing said first and second types of services (see col. 6 lines 7-65).

As to claims 27 and 9, Sixtus teaches apparatus for providing services to plural entities, said apparatus comprising: plural devices to be serviced; a first set of servers for providing a first set of services to said devices, said first set of servers having a one way predetermined relationship with said devices to be serviced; a second set of servers for providing a second set of services to said devices, said devices having said one way relationship with said second set of services (see col. 6 lines 7-65).

As to claim 29, Sixtus teaches apparatus of claim 28 wherein said devices are customer computers, and wherein said service provider is a remote IT services provider (see col. 6 lines 7-65).

As to claim 32, Sixtus teaches a method of providing services from a service provider to a plurality of independent entities, the method comprising:

facilitating, on a first set of one or more servers of said service provider, a first set of services that require said first set of one or more servers to trust said independent entities (see col. 3 lines 56-col. 4 lines 17, col. 4 lines 59-col. 5 lines 5);

facilitating, on a second set of one or more servers of said service provider, a second set of services that require said independent entities to trust said second set of one or more servers (see col. 3 lines 56-col. 4 lines 17, col. 4 lines 59-col. 5 lines 5,

Art Unit: 2157

trust s achieved between the server and the client by allocating separate resources to distinct clients, client requests resources and servers allocate requested resources to clients); and

providing said first and second set of services to said independent entities (see col. 3 lines 56-col. 4 lines 17, col. 4 lines 59-col. 5 lines 5).

As to claim 33, Sixtus teaches the method of claim 8 wherein said management and configuration forest does not trust said service forest (see col. 6 lines 7-65).

As to claim 34, Sixtus teaches the network of claim 11 wherein said management forest does not trust said service forest (see col. 6 lines 7-65).

As to claim 35, Sixtus teaches the center of claim 14 wherein said computers implementing services that require said remotely located computers to trust said service center do not trust said computers implementing services requiring said service center to trust said remotely located computers (see col. 6 lines 7-65).

As to claim 36, Sixtus teaches the method of claim 19 wherein said services requiring said customers to trust said service provider do not trust said services requiring said service provider to trust said customers (see col. 6 lines 7-65).

As to claim 37, Sixtus teaches the method of claim 2 wherein no relationship runs from said second type of services to said first type of services (see col. 6 lines 7-65).

As to claim 38, Sixtus teaches apparatus of claim 27 wherein said second set of servers do not have said one way relationship with said first set of servers (see col. 6 lines 7-65).



***Response to Arguments***

3. Applicant's arguments filed have been fully considered but they are not persuasive.

In the remarks, the applicant argues in substance that Sixtus does not disclose a trust relationship between the user and the server.

In response, Sixtus teaches a system and method for executing a secure online transaction between a vendor computer and a user computer, wherein the vendor computer and the user computer are interconnected to a computer network for data communications. The method comprises the steps of the user computer transmitting a transaction request message to the vendor computer via the computer network, the transaction request comprising user identification data unique to the user computer; in response to receiving the transaction request, the vendor computer sending a transaction verification request to a trust server computer interconnected to the computer network, the transaction verification request comprising the user identification data and data indicative of the requested transaction; in response to receiving the transaction verification request, the trust server computer authenticating the user computer by using the user identification data and communicating with the user computer for verification with the user identification data; and the trust server authorizing the transaction when the authenticating step has passed (see col. 3 lines 27-47).

The "trust" relation as defined by applicant is "a trust relationship allows users and global groups from another user account database to be used that enables pass

through authentication, in which a trusting domain honors the logon authentications of a trusted domain". In this case, the user sends a request to a vendor server computer "trusting domain". The vendor server then sends the user identification to a trust server to authenticate the user. If the authentication passes at the trust server, the authentication is also honored at vendor server and therefore Sixtus meets the scope of the claimed limitation "trust relationship".

**4. THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

**5.** Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hussein A. El-chanti whose telephone number is (571)272-3999. The examiner can normally be reached on Mon-Fri 8:30-5:00.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571)272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2157

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hussein El-chanti

July 20, 2005



ARIC ETIENNE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100